

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

CIVIL NO. 3:05-CV-130-W

MEINEKE CAR CARE CENTERS, INC.,)	
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
WILLIAM R. WARD,)	
)	
Defendant.)	
)	

THIS CAUSE, COMING TO BE HEARD, AND BEING HEARD before the undersigned United States District Judge, upon the motion and request of Plaintiff, Meineke Car Care Centers, Inc., for entry of default judgment against Defendant William R. Ward; and

IT APPEARING TO THE COURT that the Verified Complaint was filed and Summons issued in this action on March 23, 2005, which Complaint and Summons were served on Defendant on March 31, 2005; and

IT FURTHER APPEARING TO THE COURT that no answer or other responsive pleading was timely served or filed by Defendant and no extension of time to serve or file such a pleading has been granted; and

IT FURTHER APPEARING TO THE COURT that a hearing on Meineke's Motion for Default was held on December 22, 2006, that Defendant failed to appear either in person or through a representative despite the Court's admonitions, and that a default was duly entered against him for failure to defend the lawsuit; and

IT FURTHER APPEARING TO THE COURT that based on the default of Defendant having

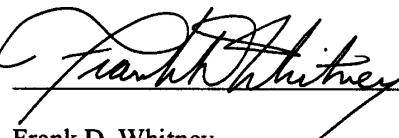
been duly entered according to law, and upon the application of Plaintiff in this action, without opposition by the Defendant within the time prescribed by Local Civil Rule 7.1(B), judgment should be entered against Defendant pursuant to the Prayer for Relief of Meineke's Verified Complaint and its Motion for Default Judgment.

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

1. Meineke have and recover from Defendant a judgment in the amount of \$49,800.63, representing unpaid future franchise fees and advertising contributions owed to Meineke, plus interest from the date of entry of judgment at the federal rate set forth in 28 U.S.C. § 1961(a).
2. Meineke have and recover from Defendant a judgment in the amount of \$12,424.48, representing past due franchise fees and advertising contributions owed to Meineke, plus interest from the date of entry of judgment at the federal rate set forth in 28 U.S.C. § 1961(a).

IT IS SO ORDERED.

Signed: February 5, 2007



Frank D. Whitney
United States District Judge

